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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 RITA LATHAM,) Case No. 2:17-cv-00071-RFB-NJK
11)
12 Plaintiff(s),) ORDER
13 vs.)
14 TUTOR PERINI BUILDING CORP., et al.,) (Docket Nos. 25, 26, 27, 28)
15 Defendant(s).)

16 Pending before the Court are Defendants Tutor Perini Building Corporation's and Tutor Perini
17 Corporation's motion for leave to amend the answer and file a third-party complaint (Docket No. 25),
18 motion to withdraw that preceding motion (Docket No. 26), renewed motion for leave to file a third-
19 party complaint (Docket No. 27), and stipulation to file a third-party complaint (Docket No. 28). In light
20 of the parties' stipulation, the Court hereby **DENIES** as moot the motions at Docket Nos. 25, 26, and
21 27. For the reasons discussed below, the Court hereby **GRANTS** the stipulation at Docket No. 28.

22 When a defendant seeks to file a third-party complaint more than 14 days after answering the
23 complaint, it must obtain leave of court. *See* Fed. R. Civ. P. 14(a)(1). Rule 14 is liberally construed to
24 permit joinder of third party claims. *E.g., United States v. Pioneer Lumber Treating Co.*, 496 F. Supp.
25 199, 202-03 (E.D. Wash. 1980). "Rule 14 was designed to provide for the adjudication of rights of all
26 persons involved in a controversy in order to avoid circuity of actions and multiplicity of suits." *Nevada*
27 *Eighty-Eight, Inc. v. Title Ins. Co. of Minn.*, 753 F. Supp. 1516, 1529 (D. Nev. 1990). "Joinder under
28 Rule 14(a) should be 'freely granted to promote efficiency unless to do so would prejudice the plaintiff,

1 unduly complicate the trial, or would foster an obviously unmeritorious claim.”” *FMC Corp. v. Vendo*
2 *Co.*, 196 F. Supp. 2d 1023, 1038 (E.D. Cal. 2002) (quoting *New York v. Solvent Chem. Co.*, 179 F.R.D.
3 90, 93 (W.D.N.Y. 1998)).

4 Applying these standards here and in light of the lack of any opposition, the Court **GRANTS** the
5 stipulation. Defendants shall file the third-party complaint by July 13, 2017, and shall serve it. *Cf.* Local
6 Rule 15-1(b).

7 IT IS SO ORDERED.

8 DATED: July 6, 2017

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NANCY J. KOPPE
United States Magistrate Judge
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